

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FLORICA BULIGA,

Plaintiff,

- against -

B.M.W. CORP.,

Defendant.

23-cv-11245 (JGK)

ORDER

JOHN G. KOELTL, District Judge:

On December 16, 2024, "[b]ecause it [wa]s plain that the pro se plaintiff has attempted to serve the defendant, the time to serve the summons and complaint [wa]s extended to **February 28, 2025.**" ECF No. 15. The Court also warned that "[i]f the plaintiff fails to serve the defendant by **February 28, 2025**, and even if there are additional unsuccessful service attempts, the case will be dismissed without prejudice for failure to prosecute." Id.

Pursuant to Rule 4(c)(1) of the Federal Rules of Civil Procedure, "[a] summons must be served with a copy of the complaint." Fed. R. Civ. P. 4(c)(1). The Federal Rules of Civil Procedure permit service on individuals outside the United States through three methods set forth in Rule 4(f). Fed. R. Civ. P. 4(f). The procedure for serving foreign companies is governed by Fed. R. Civ. P. 4(h)(2), which permits service "at a place not within any judicial district of the United States, in

any manner prescribed by Rule 4(f) for serving an individual, except personal delivery under (f)(2)(C)(i).” Fed. R. Civ. P. 4(h)(2).

On January 28, 2025, the plaintiff filed an Affirmation of Service. ECF No. 16. That affirmation states that the plaintiff sent the summons to the defendant’s United Kingdom address by DHL courier service. Id. The affirmation, however, attaches both the summons and the complaint. See id. In any event, the plaintiff’s affirmation does not make clear that the defendant was served properly with the summons and complaint in accordance with Rule 4 of the Federal Rules of Civil Procedure.

The Court’s prior order remains in effect: If the plaintiff fails to serve the defendant by **February 28, 2025**, and even if there are additional unsuccessful service attempts, **the case will be dismissed without prejudice** for failure to prosecute.


The pro se plaintiff is again advised that there is a Pro Se Law Clinic available to assist self-represented parties in civil cases. The Clinic may be able to provide a pro se party with advice in connection with their case. The Pro Se Law Clinic is run by a private organization called the City Bar Justice Center; it is not part of, or run by, the Court (and, among other things, therefore cannot accept filings on behalf of the Court, which must still be made by any self-represented party through the Pro Se Intake Unit). Litigants in need of legal

assistance should complete the City Bar Justice Center's intake form to make an appointment. If a litigant has questions about the intake form or needs to highlight an urgent deadline already disclosed in the form, the clinic can be contacted by phone (212-382-4794) or email (fedprosdny@nycbar.org). In-person appointments in the Thurgood Marshall Courthouse in Manhattan and the Charles L. Brieant Jr. Federal Building and Courthouse in White Plains are available Monday through Thursday, 10 a.m. to 4 p.m. Appointments are also available remotely Monday through Friday, 10 a.m. to 4 p.m. A flyer regarding the Pro Se Law Clinic is enclosed.

The Clerk is directed to mail this Order and the enclosure to the pro se plaintiff.

SO ORDERED.

**Dated: New York, New York
January 31, 2025**



John G. Koeltl
United States District Judge

FEDERAL PRO SE LEGAL ASSISTANCE PROJECT

in the Southern District of New York (SDNY)



ABOUT THE PROJECT

The Federal Pro Se Legal Assistance Project provides limited assistance to self-represented litigants (plaintiffs and defendants) with cases involving civil legal matters in the United States District Court for the Southern District of New York (SDNY).

This project assists plaintiffs and defendants on a variety of federal legal issues, including, among others, civil rights, employment discrimination, and disability discrimination. The team also assists incarcerated individuals with civil (non-criminal) claims.

HOW WE HELP

Fed Pro provides limited assistance through full-time attorneys, legal support team members, pro bono (volunteer) attorneys, law school/college interns, and a social work team. **While we cannot provide full representation**, Fed Pro can assist litigants by providing limited-scope services such as:



Counseling about potential federal claims prior to filing suit



Consulting on discovery matters



Interpreting and explaining federal law and procedure

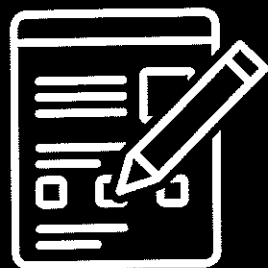


Assisting with the settlement process (including mediation)



Reviewing drafted pleadings and correspondence with the Court

HOW TO ACCESS OUR SERVICES



For assistance, please complete the online form located on our website,
<https://www.citybarjusticecenter.org/projects/federal-pro-se-legal-assistance-project/>.

If you are not able to complete the form, or you have questions about the form, please call (212) 382-4794. Please leave a message and wait for us to call you back.